

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.4564 of 2010

Dated : 27.04.2015

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Between:

V. Satyaprasad S/o.Venkateswarlu,
Aged 59 yrs, Occu : Business,
R/o.H.No.71-19, Venkatagiri gate,
Khammam Town, Khammam District & others

.. Petitioners

And

The District Collector,
Khammam & others.

.. Respondents

This Court made the following :

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ORDER :

The land belonging to the petitioners was taken over by the State for the purpose of construction of railway over bridge in the year 2003. The petitioners surrendered their lands on the assurance given by the District Collector and other authorities that they will be provided alternative lands commensurate with the lands taken from the petitioners. Petitioners agreed to part with their lands on the said assurance, possession was taken and railway over bridge was constructed. However alternative lands were not assigned so far. Initially lands were allotted in L.P.No.40/2001 and L.P.No.19/2002 of Khammam Municipality. This was objected to by the Government on the ground that it would be violating the orders of the Hon'ble the Supreme Court and High Court and the orders issued in G.O.Ms.No.72 (MA) dated 20.02.2002. Thereafter the matter went in round and round with reference to identification of suitable lands. Each time when a land is identified, it was objected to due to some or other litigation.

2. The petitioners challenged the two proceedings of the District Collector dated 04.12.2009 and 21.01.2010 wherein the lands were allotted which was subject matter of litigation in this writ petition.

3. Learned Special Government Pleader representing the learned Advocate General, produced proceedings issued by the Collector, Khammam, dated 26.04.2015 where each of the land losers were assigned lands in Survey Nos.3 and 272 proportionate to the extent of land lost by them. Hence, the long pending grievance of the petitioners, stood attended by the Government.

4. Learned Special Government Pleader submits that before formally handing over the lands, the Tahsildar, Khammam Rural is required to satisfy himself with regard to the identity of the persons whose lands were lost. Therefore, the petitioners should approach the Tahsildar, Khammam Rural with all the material in support of their identity and as and when such material is produced before the Tahsildar, Khammam Rural, immediate steps would be taken for assignment of lands.

5. Learned counsel for the petitioners submits that the petitioners would be advised to approach the Tahsildar, Khammam Rural, with all evidence in support of their identity and claim.

6. Having regard to the submissions made, the Writ Petition is disposed of granting liberty to the petitioners to appear before the Tahsildar, Khammam Rural on 6.05.2015 & 07.05.2015 with relevant material in support of their claim and identity. As and when the petitioners approach the Tahsildar, Khammam Rural, and on satisfying with the eligibility of the petitioners, the proposed plots should be assigned to them without any undue delay. There shall be no order as to costs.

7. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

27th April, 2015

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